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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,215	03/30/2001	Judith A. Goldstein	42390P10854	6074

8791 7590 02/16/2005

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EXAMINER

COFFY, EMMANUEL

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,215	GOLDSTEIN, JUDITH A.	
	Examiner	Art Unit	
	Emmanuel Coffy	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 25-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to the amendment filed on December 8, 2004. Claims 1-30 represent a method for a "Method and Apparatus for Intersystem Cut/Copy and Paste." Claims 1-3, 5, 12, 14, 15, 17, 18 and 20-22 were amended. Claims 23 and 24 are canceled. Claims 1-30 are pending.

Response to Arguments

2. Applicant's arguments filed on December 8, 2004 have been fully considered but they are not persuasive. In response to Applicant's arguments, 37 CFR § 1.111(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections." Furthermore, said arguments are moot in view of the new ground(s) of rejection.

3. The dependent and non-amended claims stand rejected as articulated in the First Office Action and all objections not addressed in Applicant's response are herein reiterated. Applicant is advised that only the significant amendments are herein addressed.

Specification

4. The objection to the specification for lack of a "Summary" Section is henceforth reiterated. Applicant did point out that a "Summary of the Invention" is optional. Be that as it may, however, there is a strongly established custom that a patent includes a

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Summary Section. It greatly helps the search of patents and as such performs a much-needed function to society at large. Thus, applicant is encouraged to make the appropriate correction.

Claim Objections

5. The objection to claims 17 and 25 is hereby withdrawn because said claims depend from independent claims 12 and 18 respectively.

Claim Rejections - 35 USC § 102

The following is a quotation of the second paragraph of 35 U.S.C. 102:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 12 directed to an apparatus and a method are rejected under 35 USC 102(e) as being clearly anticipated by Petersen et al. (US 6,484,207).

Petersen teaches a network data switch which includes a memory buffer to which information is copied from a computing system selected via the network data switch from two or more network devices coupled with the network data switch as a result of a first substantially predetermined event. (See abstract).

Claim 1:

Referring to claim 1, Petersen teaches an apparatus comprising: a switch-box, wherein the switch-box comprises a memory buffer and a control, the memory buffer to

which information is copied from a computing system selected via the switch-box from two or more computing systems coupled with the switch-box as a result of the control recognizing a first predetermined event. (See Fig.1 and col. 5, lines 23-25, **see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.)**)

Claim 12:

A method comprising:

copying information from one of at least two or more computing systems to an external buffer included in a switch-box, the switch-box being accessible by the two or more computing systems, the copying occurring as a result of a control recognizing a predetermined event, wherein the control is included in the switch-box. (See Fig.1 and col. 5, lines 23-25, **see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.)**)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 18 and 26 are rejected under 35 U.S.C. §103(a) as being unpatentable over D'Arlach et al. (US 6,026,433) in view of Petersen et al. (U.S. 6,484,207.)

D'Arlach teaches a method for creating and editing a Web site in a client-server computer network. (See abstract).

Claim 18:

(Currently amended) A method comprising:

determining by a control in a switch-box that a network copy request has been generated; copying information from a first computing system to a network cut-and-paste data-structure as a result of the network copy request; wherein the network cut-and-paste data-structure is stored in a memory buffer of the switch-box; and

associating the copied information with a user-id for a current user in the network cut-and-paste buffer data-structure. (See col. 3, line 64 to col. 5, line 5.)

D'Arlach does not expressly disclose a memory buffer in conjunction with a switch-box. However, Petersen prominently teaches a memory buffer in conjunction with a switch-box. (See Fig.1 and col. 5, lines 23-25, see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.))

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the copying system disclosed by D'Arlach because it would allow a user to perform editing functions remotely by providing access to the Internet.

Claim 26:

(Currently amended) An article comprising: a storage medium having a plurality of machine-readable instructions, wherein when the instructions are executed by a computing system, the instructions provide for determining by a control in a switch-box that a network copy request has been generated; copying information from a first computing system to a network cut-and-paste data-structure as a result of the network

copy request, wherein the network cut-and-paste data-structure is stored in a memory buffer of the switch-box; and associating the copied information with a user-id for a current user in the network cut-and-paste buffer data-structure.

(See col. 3, line 64 to col. 5, line 5.)

D'Arlach does not expressly disclose a memory buffer in conjunction with a switch-box. However, Petersen prominently teaches a memory buffer in conjunction with a switch-box. (See Fig.1 and col. 5, lines 23-25, see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.))

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the copying system disclosed by D'Arlach because it would allow a user to perform editing functions remotely by providing access to the Internet.

8. THIS ACTION IS MADE FINAL.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

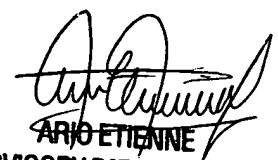
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-3997. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy, Esq.
Patent Examiner
Art Unit 2157

EC
Jan 13, 2005


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